

Calendar No. 175

103D CONGRESS
1ST SESSION

S. 1339

A BILL

To authorize appropriations for fiscal year 1994 for defense activities of the Department of Energy, and for other purposes.

AUGUST 2 (legislative day, JUNE 30), 1993
Read twice and placed on the calendar

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IN THE SENATE OF THE UNITED STATES

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Mr. NUNN, from the Committee on Armed Services, reported the following original bill; which was read twice and placed on the calendar

A BILL

To authorize appropriations for fiscal year 1994 for defense activities of the Department of Energy, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Department of Energy
5 National Security Act for Fiscal Year 1994”.

6 **SEC. 2. CONGRESSIONAL DEFENSE COMMITTEES DEFINED.**

7 For purposes of this Act, the term “congressional de-
8 fense committees” means the Committees on Armed Serv-

ices and the Committees on Appropriations of the Senate
and House of Representatives.

**TITLE XXXI—DEPARTMENT OF
ENERGY NATIONAL SECURITY
PROGRAMS**

**Subtitle A—National Security
Programs Authorizations**

SEC. 3101. WEAPONS ACTIVITIES.

(a) OPERATING EXPENSES.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 1994 for operating expenses incurred in carrying out weapons activities necessary for national security programs in the amount \$3,788,954,000, to be allocated as follows:

(1) For research and development,
\$1,152,325,000.

(2) For weapons testing, \$428,383,000.

(3) For stockpile support, \$1,792,280,000.

(4) For program direction, \$277,466,000.

(5) For complex reconfiguration, \$138,500,000.

(b) PLANT PROJECTS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 1994 for plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized

1 in prior years, and land acquisition related thereto) in car-
2 rying out weapons activities necessary for national secu-
3 rity programs as follows:

4 Project GPD-101, general plan projects, var-
5 ious locations, \$16,500,000.

6 Project GPD-121, general plant projects, var-
7 ious locations, \$7,700,000.

8 Project 94-D-102, nuclear weapons research,
9 development, and testing facilities revitalization,
10 Phase V, various locations, \$11,110,000.

11 Project 94-D-124, hydrogen fluoride supply
12 system, Y-12 Plant, Oak Ridge, Tennessee,
13 \$5,000,000.

14 Project 94-D-125, upgrade life safety, Kansas
15 City Plant, Kansas City, Missouri, \$3,000,000.

16 Project 94-D-127, emergency notification sys-
17 tem, Pantex Plant, Amarillo, Texas, \$1,000,000.

18 Project 94-D-128, environmental safety and
19 health analytical laboratory, Pantex Plant, Amarillo,
20 Texas, \$800,000.

21 Project 93-D-102, Nevada support facility,
22 North Las Vegas, Nevada, \$6,000,000.

23 Project 93-D-122, life safety upgrades, Y-12
24 Plant, Oak Ridge, Tennessee, \$5,000,000.

1 Project 93-D-123, complex-21, various loca-
2 tions, \$25,000,000.

3 Project 92-D-102, nuclear weapons research,
4 development, and testing facilities revitalization,
5 Phase IV, various locations, \$27,479,000.

6 Project 92-D-126, replace emergency notifica-
7 tion systems, various locations, \$10,500,000.

8 Project 90-D-102, nuclear weapons research,
9 development, and testing facilities revitalization,
10 Phase III, various locations, \$30,805,000.

11 Project 88-D-106, nuclear weapons research,
12 development, and testing facilities revitalization,
13 Phase II, various locations, \$39,624,000.

14 Project 88-D-122, facilities capability assur-
15 ance program, various locations, \$27,100,000.

16 Project 88-D-123, security enhancement,
17 Pantex Plant, Amarillo, Texas, \$20,000,000.

18 (c) CAPITAL EQUIPMENT.—Funds are hereby author-
19 ized to be appropriated to the Department of Energy for
20 fiscal year 1994 for capital equipment not related to con-
21 struction in carrying out weapons activities necessary for
22 national security programs in the amount of
23 \$123,034,000.

24 (d) ADJUSTMENT FOR SAVINGS.—The total amount
25 authorized to be appropriated pursuant to this section is

1 the sum of the amounts specified in subsections (a)
2 through (c) reduced by \$393,641,000.

3 **SEC. 3102. NEW TRITIUM PRODUCTION AND PLUTONIUM**
4 **DISPOSITION ACTIVITIES.**

5 Funds are hereby authorized to be appropriated to
6 the Department of Energy for fiscal year 1994 for ex-
7 penses incurred in carrying out new tritium production ac-
8 tivities and plutonium disposition activities necessary for
9 national security programs in the amount of \$83,000,000,
10 offset by \$43,000,000 in prior year funds.

11 **SEC. 3103. ENVIRONMENTAL RESTORATION AND WASTE**
12 **MANAGEMENT.**

13 (a) OPERATING EXPENSES.—Funds are hereby au-
14 thorized to be appropriated to the Department of Energy
15 for fiscal year 1994 for operating expenses incurred in car-
16 rying out environmental restoration and waste manage-
17 ment activities necessary for national security programs
18 in the amount of \$4,782,213,000, to be allocated as fol-
19 lows:

20 (1) For corrective activities, \$2,170,000.

21 (2) For environmental restoration,
22 \$1,536,027,000.

23 (3) For waste management, \$2,275,441,000.

24 (4) For technology development, \$361,150,000.

1 (5) For transportation management,
2 \$19,730,000.

3 (6) For program direction, \$82,427,000.

4 (7) For facility transition, \$545,268,000.

5 (b) PLANT PROJECTS.—Funds are hereby authorized
6 to be appropriated to the Department of Energy for fiscal
7 year 1994 for plant projects (including maintenance, res-
8 toration, planning, construction, acquisition, modification
9 of facilities, and the continuation of projects authorized
10 in prior years, and land acquisition related thereto) to
11 carry out environmental restoration and waste manage-
12 ment activities necessary for national security programs
13 as follows:

14 Project GPD-171, general plant projects, var-
15 ious locations, \$49,015,000.

16 Project 94-D-122, underground storage tanks,
17 Rocky Flats Plant, Golden, Colorado, \$700,000.

18 Project 94-D-400, high explosive wastewater
19 treatment, Los Alamos National Laboratory, Los Al-
20 amos, New Mexico, \$1,000,000.

21 Project 94-D-401, emergency response facility,
22 Idaho National Engineering Laboratory, Idaho,
23 \$600,000.

24 Project 94-D-402, liquid waste treatment sys-
25 tem, Nevada Test Site, \$491,000.

1 Project 94-D-404, Melton Valley storage tanks
2 capacity increase, Oak Ridge National Laboratory,
3 Oak Ridge, Tennessee, \$9,400,000.

4 Project 94-D-405, Central neutralization facil-
5 ity pipeline extension project, Oak Ridge K-25
6 Plant, Oak Ridge, Tennessee, \$1,714,000.

7 Project 94-D-406, low-level waste disposal fa-
8 cility, Oak Ridge K-25 Plant, Oak Ridge, Ten-
9 nessee, \$6,000,000.

10 Project 94-D-407, initial tank retrieval sys-
11 tems, Richland, Washington, \$7,000,000.

12 Project 94-D-408, 200 east office facility,
13 Richland, Washington, \$1,200,000.

14 Project 94-D-411, solid waste operations com-
15 plex project, Richland, Washington, \$7,100,000.

16 Project 94-D-412, 300 area process sewer pip-
17 ing system upgrade, Richland, Washington,
18 \$1,100,000.

19 Project 94-D-414, site 300 explosive waste
20 storage facility, Lawrence Livermore National Lab-
21 oratory, Livermore, California, \$370,000.

22 Project 94-D-415, medical facilities, Idaho Na-
23 tional Engineering Laboratory, Idaho, \$1,100,000.

1 Project 94-D-416, Solvent Storage Tanks in-
2 stallation, Savannah River Site, South Carolina,
3 \$1,500,000.

4 Project 94-D-417, intermediate level and low
5 activity waste vaults, Savannah River Site, South
6 Carolina, \$1,000,000.

7 Project 94-D-451, infrastructure replacement
8 Rocky Flats Plant, Golden, Colorado, \$6,600,000.

9 Project 93-D-172, electrical upgrade, Idaho
10 National Engineering Laboratory, Idaho,
11 \$9,600,000.

12 Project 93-D-174, plant drain waste water
13 treatment upgrades, Y-12 Plant, Oak Ridge, Ten-
14 nessee, \$3,500,000.

15 Project 93-D-175, industrial waste compaction
16 facility, Y-12 Plant, Oak Ridge, Tennessee,
17 \$1,800,000.

18 Project 93-D-176, Oak Ridge reservation stor-
19 age facility, K-25 Plant, Oak Ridge, Tennessee,
20 \$6,039,000.

21 Project 93-D-177, disposal of K-1515 sanitary
22 water treatment plant waste, K-125 Plant, Oak
23 Ridge, Tennessee, \$7,100,000.

1 Project 93-D-178, building 374 liquid waste
2 treatment facility, Rocky Flats Plant, Golden, Colo-
3 rado, \$1,000,000.

4 Project 93-D-181, radioactive liquid waste line
5 replacement, Richland, Washington, \$6,000,000.

6 Project 93-D-182, replacement of cross-site
7 transfer system, Richland, Washington, \$6,500,000.

8 Project 93-D-183, multi-function waste reme-
9 diation facility, Richland, Washington, \$25,660,000.

10 Project 93-D-184, 325 facility compliance/ren-
11 ovation, Richland, Washington, \$3,500,000.

12 Project 93-D-185, landlord program safety
13 compliance, Phase II, Richland, Washington,
14 \$1,351,000.

15 Project 93-D-187, high-level waste removal
16 from filled waste tanks, Savannah River, South
17 Carolina, \$13,230,000.

18 Project 93-D-188, new sanitary landfill, Sa-
19 vannah River, South Carolina, \$1,020,000.

20 Project 92-D-125, master safeguards and secu-
21 rity agreement/material surveillance task force secu-
22 rity upgrades, Rocky Flats Plant, Golden, Colorado,
23 \$3,900,000.

1 Project 92-D-172, hazardous waste treatment
2 and processing facility, Pantex Plant, Amarillo,
3 Texas, \$300,000.

4 Project 92-D-173, nitrogen oxide abatement
5 facility, Idaho Chemical Processing Plant, Idaho Na-
6 tional Engineering Laboratory, Idaho, \$10,000,000.

7 Project 92-D-177, tank 101-AZ waste re-
8 trieval system, Richland, Washington, \$7,000,000.

9 Project 92-D-181, fire and life safety improve-
10 ments, Idaho National Engineering Laboratory,
11 Idaho, \$5,000,000.

12 Project 92-D-182, sewer system upgrade,
13 Idaho National Engineering Laboratory, Idaho,
14 \$1,450,000.

15 Project 92-D-183, transportation complex,
16 Idaho National Engineering Laboratory, Idaho,
17 \$7,198,000.

18 Project 92-D-184, Hanford infrastructure un-
19 derground storage tanks, Richland, Washington,
20 \$300,000.

21 Project 92-D-186, steam system rehabilitation,
22 Phase II, Richland, Washington, \$4,300,000.

23 Project 92-D-187, 300 area electrical distribu-
24 tion, conversion, and safety improvements, Phase II,
25 Richland, Washington, \$10,276,000.

1 Project 92-D-188, waste management ES&H,
2 and compliance activities, various locations,
3 \$8,568,000.

4 Project 92-D-403, tank upgrade project, Lawrence
5 Livermore National Laboratory, California,
6 \$3,888,000.

7 Project 91-D-171, waste receiving and processing
8 facility, module 1, Richland, Washington,
9 \$17,700,000.

10 Project 91-D-175, 300 area electrical distribution,
11 conversion, and safety improvements, Phase I,
12 Richland, Washington, \$1,500,000.

13 Project 90-D-172, aging waste transfer lines,
14 Richland, Washington, \$5,000,000.

15 Project 90-D-175, landlord program safety
16 compliance-I, Richland, Washington, \$1,800,000.

17 Project 90-D-177, RWMC transuranic (TRU)
18 waste characterization and storage facility, Idaho
19 National Engineering Laboratory, Idaho,
20 \$21,700,000.

21 Project 89-D-172, Hanford environmental
22 compliance, Richland, Washington, \$11,700,000.

23 Project 89-D-173, tank farm ventilation upgrade,
24 Richland, Washington, \$1,000,000.

1 Project 89–D–174, replacement high-level waste
2 evaporator, Savannah River, South Carolina,
3 \$23,974,000.

4 Project 89–D–175, hazardous waste/mixed
5 waste disposal facility, Savannah River, South Caro-
6 lina, \$7,000,000.

7 Project 87–D–181, diversion box and pump pit
8 containment buildings, Savannah River, South Caro-
9 lina, \$2,137,000.

10 Project 86–D–103, decontamination and waste
11 treatment facility, Lawrence Livermore National
12 Laboratory, California, \$10,260,000.

13 Project 83–D–148, nonradioactive hazardous
14 waste management, Savannah River, South Caro-
15 lina, \$9,769,000.

16 Project 81–T–105, defense waste processing fa-
17 cility, Savannah River, South Carolina, \$43,873,000.

18 (c) CAPITAL EQUIPMENT.—Funds are hereby author-
19 ized to be appropriated to the Department of Energy for
20 fiscal year 1994 for capital equipment not related to con-
21 struction in carrying out environmental restoration and
22 waste management activities necessary for national secu-
23 rity programs in the amount of \$203,826,000, to be allo-
24 cated as follows:

25 (1) For corrective activities, \$600,000.

1 (2) For waste management, \$138,781,000.

2 (3) For technology development, \$29,850,000.

3 (4) For transportation management, \$400,000.

4 (5) For program direction, \$9,469,000.

5 (6) For facility transition, \$24,726,000

6 (d) USE OF FUNDS.—From funds authorized to be
7 appropriated pursuant to subsection (a) to the Depart-
8 ment of Energy for environmental restoration and waste
9 management activities, the Secretary of Energy may reim-
10 burse the cities of Westminster, Broomfield, Thornton,
11 and Northglenn, in the State of Colorado, \$21,415,000 for
12 the cost of implementing water management programs.
13 Reimbursements for the water management programs
14 shall not be considered a major Federal action for pur-
15 poses of 102(2) of the National Environmental Policy Act
16 of 1969 (42 U.S.C. 4332(2)).

17 (e) GENERAL REDUCTION IN OPERATING EX-
18 PENSES.—The amount authorized to be appropriated for
19 operating expenses pursuant to subsection (a) is the
20 amount specified in that subsection reduced by
21 \$40,000,000.

22 (f) PRIOR YEAR BALANCES.—The total amount au-
23 thorized to be appropriated pursuant to this section is the
24 sum of the amounts specified in subsections (a), (b), and
25 (c) reduced by \$86,600,000. In determining the amount

1 authorized to be appropriated pursuant to subsection (a)
2 for the purposes of this subsection, subsection (e) shall
3 be taken into account.

4 **SEC. 3104. MATERIALS SUPPORT AND OTHER DEFENSE**
5 **PROGRAMS.**

6 (a) OPERATING EXPENSES.—Funds are hereby au-
7 thorized to be appropriated to the Department of Energy
8 for fiscal year 1994 for operating expenses incurred in car-
9 rying out nuclear materials production and other defense
10 programs necessary for national security programs in the
11 amount of \$2,171,039,000, to be allocated as follows:

12 (1) For materials support, \$853,966,000.

13 (2) For verification and control technology,
14 \$341,941,000.

15 (3) For nuclear safeguards and security,
16 \$86,246,000.

17 (4) For security investigations, \$53,335,000.

18 (5) For security evaluations, \$14,961,000.

19 (6) For nuclear safety, \$24,859,000.

20 (7) For worker training and adjustment,
21 \$100,000,000.

22 (8) For naval reactors, \$695,731,000.

23 (b) PLANT PROJECTS.—Funds are hereby authorized
24 to be appropriated to the Department of Energy for fiscal
25 year 1994 for plant projects (including maintenance, res-

1 toration, planning, construction, acquisition, modification
2 of facilities, and the continuation of projects authorized
3 in prior years, and land acquisition related thereto) in car-
4 rying out nuclear materials production and other defense
5 programs necessary for national security programs as fol-
6 lows:

7 (1) For materials production:

8 Project GPD-146, general plant projects,
9 various locations, \$31,760,000.

10 Project 93-D-147, domestic water system
11 upgrade, Phase I, Savannah River, South Caro-
12 lina, \$7,720,000.

13 Project 93-D-148, replace high-level drain
14 lines, Savannah River, South Carolina,
15 \$1,800,000.

16 Project 93-D-152, environmental modi-
17 fication for production facilities, Savannah
18 River, South Carolina, \$20,000,000.

19 Project 92-D-140, F&H canyon exhaust
20 upgrades, Savannah River, South Carolina,
21 \$15,000,000.

22 Project 92-D-142, nuclear material proc-
23 essing training center, Savannah River, South
24 Carolina, \$8,900,000.

1 Project 92-D-143, health protection in-
2 strument calibration facility, Savannah River,
3 South Carolina, \$9,600,000.

4 Project 92-D-150, operations support fa-
5 cilities, Savannah River, South Carolina,
6 \$26,900,000.

7 Project 92-D-153, engineering support fa-
8 cility, Savannah River, South Carolina,
9 \$9,500,000.

10 Project 90-D-149, plantwide fire protec-
11 tion, Phases I and II, Savannah River, South
12 Carolina, \$25,950,000.

13 Project 86-D-149, productivity retention
14 program, Phases I, II, III, IV, V, and VI, var-
15 ious locations, \$3,700,000.

16 (2) For verification and control technology:

17 Project 90-D-186, center for national se-
18 curity and arms control, Sandia National Lab-
19 oratories, Albuquerque, New Mexico,
20 \$8,515,000.

21 (3) For naval reactors development:

22 Project GPN-101, general plant projects,
23 various locations, \$7,500,000.

1 Project 93-D-200, engineering services fa-
2 cilities, Knolls Atomic Power Laboratory,
3 Niskayuna, New York, \$7,000,000.

4 Project 92-D-200, laboratories facilities
5 upgrades, various locations, \$2,800,000.

6 Project 90-N-102, expended core facility
7 dry cell project, Naval Reactors Facility, Idaho,
8 \$7,800,000.

9 (c) CAPITAL EQUIPMENT.—Funds are hereby author-
10 ized to be appropriated to the Department of Energy for
11 fiscal year 1994 for capital equipment not related to con-
12 struction in carrying out nuclear materials production and
13 other defense programs necessary for national security
14 programs as follows:

15 (1) For material support, \$75,209,000.

16 (2) For verification and control technology,
17 \$15,573,000.

18 (3) For nuclear safeguards and security,
19 \$4,101,000.

20 (4) For nuclear safety, \$50,000.

21 (5) For naval reactors development,
22 \$46,900,000.

23 (d) ADJUSTMENTS.—The total amount that may be
24 appropriated pursuant to this section is the sum of the

1 amounts specified in subsections (a) through (c) reduced
2 by \$393,132,000 for anticipated savings.

3 **SEC. 3105. DEFENSE NUCLEAR WASTE DISPOSAL.**

4 Funds are hereby authorized to be appropriated to
5 the Department of Energy for fiscal year 1994 for pay-
6 ment to the Nuclear Waste Fund, \$100,000,000.

7 **SEC. 3106. FUNDING USES AND LIMITATIONS.**

8 (a) NATIONAL SECURITY PROGRAMS.—Notwith-
9 standing any other provision of law, not more than 90 per-
10 cent of the funds appropriated to the Department of En-
11 ergy for national security programs under this title may
12 be obligated for such programs until the Secretary of En-
13 ergy submits to the congressional defense committees the
14 five-year budget plan with respect to fiscal year 1994 re-
15 quired under section 3144 of the National Defense Au-
16 thorization Act for Fiscal Years 1990 and 1991 (Public
17 Law 101–189; 103 Stat. 1681; 42 U.S.C. 7271b).

18 (b) INERTIAL CONFINEMENT FUSION.—Of the funds
19 authorized to be appropriated to the Department of En-
20 ergy for fiscal year 1994 for operating expenses and cap-
21 ital equipment, \$188,413,000 shall be available for the de-
22 fense inertial confinement fusion program.

23 (c) FIRE PROTECTION AND COOLING OR REFRIGERA-
24 TION SYSTEMS.—None of the funds appropriated or other-
25 wise made available to the Department of Energy for fiscal

1 year 1994 may be obligated for the design, purchase, or
2 installation of any fire protection system or cooling or re-
3 frigeration system that utilizes class I chlorofluorocarbons
4 (as listed under section 602(a) of the Clean Air Act (42
5 U.S.C. 7671a(a)) unless the Secretary of Energy deter-
6 mines that an alternative system meeting the operational
7 requirements of the Department of Energy is not commer-
8 cially available or is not cost-effective when analyzed under
9 a life-cycle cost analysis.

10 (d) NEW TRITIUM PRODUCTION ACTIVITIES AND
11 PLUTONIUM DISPOSITION ACTIVITIES.—Funds author-
12 ized to be appropriated for fiscal year 1994 or otherwise
13 made available to the Secretary of Energy for such fiscal
14 year for new tritium production activities and plutonium
15 disposition activities shall be available only for the follow-
16 ing purposes and in the following amounts:

17 (1) For evaluation of an advanced light water
18 reactor and a modular high temperature gas reactor
19 to determine the feasibility and effectiveness of dis-
20 posing of plutonium, production of tritium (if need-
21 ed), and production of electricity, \$40,000,000.

22 (2) For evaluation of accelerator technology to
23 determine the feasibility and effectiveness of dispos-
24 ing of plutonium, production of tritium (if needed),
25 and production of electricity, \$18,000,000.

1 (3) For evaluation of an advance liquid metal
2 reactor to determine the feasibility and effectiveness
3 of disposing of plutonium, production of tritium (if
4 needed), and production of electricity, \$25,000,000.

5 (e) EXPENDED CORE FACILITY DRY CELL.—None of
6 the funds appropriated or otherwise made available to the
7 Department of Energy for fiscal year 1994 may be obli-
8 gated for project 90–N–102, expended core facility dry cell
9 project, Naval Reactors Facility, Idaho, until shipment of
10 spent naval nuclear fuel from United States naval surface
11 ships and submarines to the Idaho Engineering Labora-
12 tory, Idaho, is resumed.

13 (f) NUCLEAR WEAPONS TESTING.—(1) Funds au-
14 thorized to be appropriated under section 3101(a)(2) for
15 the Department of Energy for fiscal year 1994 for weap-
16 ons testing and funds otherwise made available to the de-
17 partment for that fiscal year for that purpose shall be
18 available only for the following purposes and in the follow-
19 ing amounts:

20 (A) For infrastructure maintenance at the Ne-
21 vada Test Site, \$150,000,000.

22 (B) For maintaining the technical capability to
23 resume testing at the Nevada Test Site,
24 \$125,000,000.

1 (C) For activities, including research and devel-
2 opment, of Department of Energy laboratories in de-
3 termining means of nuclear weapons testing as alter-
4 natives to underground nuclear weapons testing,
5 \$153,383,000.

6 (2) The Secretary of Energy may not obligate an ag-
7 gregate amount in excess of \$180,000,000 for the pur-
8 poses described in subparagraphs (B) and (C) of para-
9 graph (1) until the Secretary submits to the congressional
10 defense committees a detailed plan for carrying out the
11 activities described in subparagraphs (B) and (C) of that
12 paragraph.

13 (g) VERIFICATION CONTROL TECHNOLOGY.—Of the
14 funds authorized to be appropriated to the Department
15 of Energy for fiscal year 1994 for operating expenses and
16 capital equipment for activities relating to verification and
17 control technology, not more than \$334,441,000 may be
18 obligated until the Secretary of Defense submits the report
19 required by section 1104.

20 (h) SCHOLARSHIP AND FELLOWSHIP PROGRAM FOR
21 ENVIRONMENTAL AND WASTE MANAGEMENT.—Of the
22 funds authorized to be appropriated to the Department
23 of Energy for fiscal year 1994 for environmental restora-
24 tion and waste management, \$1,000,000 shall be available
25 for the Scholarship and Fellowship Program for Environ-

1 mental Restoration and Waste Management carried out
2 under section 3132 of the National Defense Authorization
3 Act for Fiscal Years 1992 and 1993 (Public Law 102–
4 190; 42 U.S.C. 7274e).

5 (i) HANFORD HEALTH INFORMATION NETWORK.—
6 Of the funds authorized to be appropriated to the Depart-
7 ment of Energy for fiscal year 1994 under section
8 3101(a), \$1,750,000 shall be available for activities relat-
9 ing to the Hanford health information network established
10 pursuant to the authority set forth in section 3138 of the
11 National Defense Authorization Act for Fiscal Year 1991
12 (Public Law 101–510; 104 Stat. 1834).

13 (j) PROTECTION OF NUCLEAR WEAPONS FACILITIES
14 WORKERS.—Of the funds authorized to be appropriated
15 to the Department of Energy for fiscal year 1994 for envi-
16 ronmental restoration and waste management,
17 \$10,000,000 shall be available for activities relating to
18 worker protection at nuclear weapons facilities.

19 (k) MERGER OF CERTAIN FUNDS WITH FUNDS AP-
20 PROPRIATED FOR NEW PRODUCTION REACTORS.—Not-
21 withstanding any other provision of law, of the funds made
22 available to the Department of Energy for new production
23 reactor activities before the date of the enactment of this
24 Act, \$43,000,000 shall be merged with the funds author-
25 ized to be appropriated for new tritium production and

1 plutonium disposition under section 3102 and shall be
2 available for the same purposes and the same period as
3 the funds with which merged.

4 (J) TECHNOLOGY TRANSFER AND ECONOMIC DEVEL-
5 OPMENT.—None of the funds appropriated to the Depart-
6 ment of Energy for fiscal year 1994 pursuant to the au-
7 thorization of appropriations in section 3103, or otherwise
8 made available to the department for environmental res-
9 toration and waste management activities for such fiscal
10 year, may be obligated to foster technology transfer to and
11 economic development activities in the Southeastern Unit-
12 ed States until 30 days after the date on which the Sec-
13 retary of Energy submits to the congressional defense
14 committees a report containing a plan for the expenditure
15 of funds in a manner that ensures an equitable expendi-
16 ture of funds for such purposes throughout the Southeast-
17 ern United States.

18 **Subtitle B—Recurring General Provisions**

19 **SEC. 3121. REPROGRAMMING.**

20 (a) NOTICE TO CONGRESS.—(1) Except as otherwise
21 provided in this title—

22 (A) no amount appropriated pursuant to this
23 title may be used for any program in excess of the
24 lesser of—

1 (i) 105 percent of the amount authorized
2 for that program by this title; or

3 (ii) \$10,000,000 more than the amount
4 authorized for that program by this title; and

5 (B) no amount appropriated pursuant to this
6 title may be used for any program which has not
7 been presented to, or requested of, the Congress.

8 (2) An action described in paragraph (1) may not be
9 taken until—

10 (A) the Secretary of Energy has submitted to
11 the congressional defense committees a report con-
12 taining a full and complete statement of the action
13 proposed to be taken and the facts and cir-
14 cumstances relied upon in support of such proposed
15 action; and

16 (B) a period of 30 days has elapsed after the
17 date on which the report is received by the commit-
18 tees.

19 (3) In the computation of the 30-day period under
20 paragraph (2), there shall be excluded any day on which
21 either House of Congress is not in session because of an
22 adjournment of more than 3 calendar days to a day cer-
23 tain.

24 (b) LIMITATION ON AMOUNT OBLIGATED.—In no
25 event may the total amount of funds obligated pursuant

1 to this title exceed the total amount authorized to be ap-
2 propriated by this title.

3 **SEC. 3122. LIMITS ON GENERAL PLANT PROJECTS.**

4 (a) IN GENERAL.—The Secretary of Energy may
5 carry out any construction project under the general plant
6 projects provisions authorized by this title if the total esti-
7 mated cost of the construction project does not exceed
8 \$2,000,000.

9 (b) REPORT TO CONGRESS.—If, at any time during
10 the construction of any general plant project authorized
11 by this title, the estimated cost of the project is revised
12 because of unforeseen cost variations and the revised cost
13 of the project exceeds \$2,000,000, the Secretary shall im-
14 mediately furnish a complete report to the congressional
15 defense committees explaining the reasons for the cost
16 variation.

17 **SEC. 3123. LIMITS ON CONSTRUCTION PROJECTS.**

18 (a) IN GENERAL.—(1) Except as provided in para-
19 graph (2), construction on a construction project may not
20 be started or additional obligations incurred in connection
21 with the project above the total estimated cost, whenever
22 the current estimated cost of the construction project,
23 which is authorized by sections 3101, 3102, 3103, and
24 3104, or which is in support of national security programs
25 of the Department of Energy and was authorized by any

1 previous Act, exceeds by more than 25 percent the higher
2 of—

3 (A) the amount authorized for the project; or

4 (B) the amount of the total estimated cost for
5 the project as shown in the most recent budget jus-
6 tification data submitted to Congress.

7 (2) An action described in paragraph (1) may be
8 taken if—

9 (A) the Secretary of Energy has submitted to
10 the congressional defense committees a report on the
11 actions and the circumstances making such actions
12 necessary; and

13 (B) a period of 30 days has elapsed after the
14 date on which the report is received by the commit-
15 tees.

16 (3) In the computation of the 30-day period under
17 paragraph (2), there shall be excluded any day on which
18 either House of Congress is not in session because of an
19 adjournment of more than 3 calendar days to a day cer-
20 tain.

21 (b) EXCEPTION.—Subsection (a) shall not apply to
22 any construction project which has a current estimated
23 cost of less than \$5,000,000.

1 **SEC. 3124. FUND TRANSFER AUTHORITY.**

2 Funds appropriated pursuant to this title may be
3 transferred to other agencies of the Federal Government
4 for the performance of the work for which the funds were
5 appropriated, and funds so transferred may be merged
6 with the appropriations of the agency to which the funds
7 are transferred.

8 **SEC. 3125. AUTHORITY FOR CONSTRUCTION DESIGN.**

9 (a) IN GENERAL.—(1) Within the amounts author-
10 ized by this title for plant engineering and design, the Sec-
11 retary of Energy may carry out advance planning and con-
12 struction design (including architectural and engineering
13 services) in connection with any proposed construction
14 project if the total estimated cost for such planning and
15 design does not exceed \$2,000,000.

16 (2) In the case of any project in which the total esti-
17 mated cost for advance planning and design exceeds
18 \$300,000, the Secretary shall notify the congressional de-
19 fense committees in writing of the details of such project
20 at least 30 days before any funds are obligated for design
21 services for such project.

22 (b) SPECIFIC AUTHORITY REQUIRED.—In any case
23 in which the total estimated cost for advance planning and
24 construction design in connection with any construction
25 project exceeds \$2,000,000, funds for such planning and
26 design must be specifically authorized by law.

1 **SEC. 3126. AUTHORITY FOR EMERGENCY PLANNING, DE-**
2 **SIGN, AND CONSTRUCTION ACTIVITIES.**

3 (a) **AUTHORITY.**—The Secretary of Energy may use
4 any funds available to the Department of Energy, includ-
5 ing those funds authorized to be appropriated for advance
6 planning and construction design under sections 3101,
7 3102, 3103, 3104, to perform planning, design, and con-
8 struction activities for any Department of Energy defense
9 activity construction project that, as determined by the
10 Secretary, must proceed expeditiously in order to protect
11 public health and safety, meet the needs of national de-
12 fense, or protect property.

13 (b) **LIMITATION.**—The Secretary may not exercise
14 the authority under subsection (a) in the case of any con-
15 struction project until the Secretary has submitted to the
16 congressional defense committees a report on the activities
17 that the Secretary intends to carry out under this section
18 and the circumstances making such activities necessary.

19 (c) **SPECIFIC AUTHORITY.**—The requirement of sec-
20 tion 3125(b) does not apply to emergency planning, de-
21 sign, and construction activities conducted under this sec-
22 tion.

23 (d) **REPORT.**—The Secretary of Energy shall prompt-
24 ly report to the congressional defense committees any ex-
25 ercise of authority under this section.

1 **SEC. 3127. FUNDS AVAILABLE FOR ALL NATIONAL SECU-**
2 **RITY PROGRAMS OF THE DEPARTMENT OF**
3 **ENERGY.**

4 Subject to the provisions of appropriation Acts and
5 section 3121, amounts appropriated pursuant to this title
6 for management and support activities and for general
7 plant projects are available for use, when necessary, in
8 connection with all national security programs of the De-
9 partment of Energy.

10 **SEC. 3128. AVAILABILITY OF FUNDS.**

11 When so specified in an appropriation Act, amounts
12 appropriated for operating expenses, plant projects, and
13 capital equipment may remain available until expended.

14 **Subtitle C—Other Matters**

15 **SEC. 3131. USE OF FUNDS FOR PAYMENT OF PENALTY AS-**
16 **SESSED AGAINST HANFORD PROJECT.**

17 The Secretary of Energy may pay to the Hazardous
18 Substances Response Trust, from funds appropriated to
19 the Department of Energy for environmental restoration
20 and waste management activities pursuant to section
21 3103, a stipulated civil penalty in the amount of \$100,000
22 assessed under the Comprehensive Environmental Re-
23 sponse, Compensation, and Liability Act of 1980 (42
24 U.S.C. 9601 et seq.) and the Hanford Consent Agreement
25 and Compliance Order for Department of Energy Han-
26 ford.

1 **SEC. 3132. OFFICE OF TRITIUM PRODUCTION AND PLUTO-**
2 **NIUM DISPOSITION.**

3 (a) ESTABLISHMENT.—There is hereby established in
4 the Office of the Assistant Secretary of Energy for De-
5 fense Programs an Office of Tritium Production and Plu-
6 tonium Disposition.

7 (b) RESPONSIBILITIES.—The responsibilities of the
8 office shall include the following:

9 (1) Activities relating to the development, de-
10 sign, and construction (including research in support
11 thereof) of a tritium production facility in order to
12 ensure that a tritium production facility replacing
13 existing tritium production facilities of the Depart-
14 ment of Energy and capable of meeting the antici-
15 pated need of the Department of Defense for tritium
16 is in operation no later than December 31, 2011.

17 (2) Carrying out the evaluation of an advanced
18 light water reactor and a high temperature gas reac-
19 tor referred to in section 3105(d)(2) of the National
20 Defense Authorization Act for Fiscal Year 1993
21 (Public Law 102–484; 106 Stat. 2636).

22 (3) Activities relating to the design, develop-
23 ment, and construction (including research in sup-
24 port thereof) of the reactors referred to in para-
25 graph (2).

1 (4) Research and development activities relating
2 to design, development, and construction by the De-
3 partment of Energy of an advanced metal reactor
4 that utilizes an actinide recycling process and that
5 is capable of burning plutonium, producing tritium,
6 and producing electricity.

7 (5) Research and development activities relating
8 to the design, development, and construction by the
9 Department of Energy of an accelerator technology
10 that is capable of burning plutonium, producing trit-
11 ium, and producing electricity.

12 (6) Activities relating to the design, develop-
13 ment, and construction (including research in sup-
14 port thereof) of a facility to treat and dispose of ex-
15 cess plutonium.

16 **SEC. 3133. AUTHORITY TO TRANSFER CERTAIN DEPART-**
17 **MENT OF ENERGY PROPERTY.**

18 (a) AUTHORITY TO TRANSFER.—(1) Notwithstand-
19 ing any other provision of law, the Secretary of Energy
20 may transfer, for consideration, all right, title, and inter-
21 est of the United States in and to the property referred
22 to in subsection (b) to any person if the Secretary deter-
23 mines that such transfer will mitigate the adverse eco-
24 nomic consequences that might otherwise arise from the
25 closure of a Department of Energy facility.

1 (2) The amount of consideration received by the
2 United States for a transfer under paragraph (1) may be
3 less than the fair market value of the property transferred
4 if the Secretary determines that the receipt of such lesser
5 amount by the United States is in accordance with the
6 purpose of such transfer under this section.

7 (b) COVERED PROPERTY.—Property that may be
8 transferred under subsection (a) is the following property
9 of the Department of Energy that is located at department
10 facilities to be closed:

11 (1) The personal property and fixtures at such
12 facilities that the Secretary determines to be excess
13 to the needs of the department.

14 (2) Any other personal property and fixtures at
15 such facilities the replacement cost of which does not
16 exceed an amount equal to 110 percent of the cost
17 of transporting the property or fixtures to another
18 department facility.

19 (c) OTHER TERMS AND CONDITIONS.—The Secretary
20 may require such additional terms and conditions with re-
21 spect to a transfer of property under subsection (a) as
22 the Secretary determines appropriate to protect the inter-
23 ests of the United States.

1 **SEC. 3134. REAUTHORIZATION AND EXPANSION OF AU-**
2 **THORITY TO LOAN PERSONNEL AND FACILI-**
3 **TIES.**

4 (a) **AUTHORITY TO LOAN PERSONNEL.**—Subsection
5 (a)(1) of section 1434 of the National Defense Authoriza-
6 tion Act, Fiscal Year 1989 (Public Law 100–456; 102
7 Stat. 2074), as amended by section 3136 of the National
8 Defense Authorization Act for Fiscal Year 1991 (Public
9 Law 101–510; 104 Stat. 1824) and section 3136 of Na-
10 tional Defense Authorization for Fiscal Year 1993 (Public
11 Law 102–484; 106 Stat. 2641), is further amended—

12 (1) in subparagraph (A)—

13 (A) by striking out “and” at the end of
14 clause (i);

15 (B) by striking out the period at the end
16 of clause (ii) and inserting in lieu thereof a
17 semicolon; and

18 (C) by adding at the end the following:

19 “(iii) at the Savannah River Site, South Caro-
20 lina, to loan personnel in accordance with this sec-
21 tion to any community-based organization; and

22 “(iv) at Oak Ridge, Tennessee, to loan person-
23 nel in accordance with this section to any commu-
24 nity-based organization.”; and

25 (2) in subparagraph (B)—

1 (A) by striking out “and the Idaho” and
2 inserting in lieu thereof “, the Idaho”; and

3 (B) by adding before the period at the end
4 the following: “, the Savannah River Site, and
5 Oak Ridge”.

6 (b) AUTHORITY TO LOAN FACILITIES.—Subsection
7 (b) of such Act is amended—

8 (1) by striking out “or the Idaho” and inserting
9 in lieu thereof “the Idaho”; and

10 (2) by inserting “Savannah River Site, South
11 Carolina, or Oak Ridge, Tennessee,” before “to any
12 community-based organization”.

13 (c) DURATION OF PROGRAM.—Subsection (c) of such
14 section is amended—

15 (1) by striking out “Reservation, and” and in-
16 serting in lieu thereof “Reservation,”; and

17 (2) by inserting after “Idaho National Engi-
18 neering Laboratory” the following: “, and September
19 30, 1995, with respect to the Savannah River Site,
20 and to Oak Ridge”.

1 **SEC. 3135. INCLUSION OF ANALYSIS OF NEVADA TEST SITE**
2 **IN ENVIRONMENTAL ASSESSMENT OF RE-**
3 **CONFIGURATION OF DEPARTMENT OF EN-**
4 **ERGY NUCLEAR WEAPONS COMPLEX.**

5 In preparing an environmental impact statement in
6 connection with a decision to reconfigure the functions,
7 facilities, and personnel of the Department of Energy re-
8 lating to research and development, production, and test-
9 ing of nuclear materials and weapons, the Secretary of
10 Energy shall include an analysis of the Nevada Test Site
11 as a potential site for the location of some or all of such
12 functions, facilities, and personnel.

13 **SEC. 3136. DEPARTMENT OF ENERGY MANAGEMENT.**

14 (a) UNDER SECRETARIES.—Section 202 of the De-
15 partment of Energy Organization Act (42 U.S.C. 7132)
16 is amended—

17 (1) in subsection (a), by striking out “Under
18 Secretary” and inserting in lieu thereof “Under Sec-
19 retaries”; and

20 (2) by striking out subsection (b) and inserting
21 in lieu thereof the following:

22 “(b) There shall be in the Department three Under
23 Secretaries and a General Counsel, who shall be appointed
24 by the President, by and with the advice and consent of
25 the Senate, and who shall perform such functions and du-
26 ties the Secretary prescribes.”.

1 (b) RATES OF PAY.—Section 5314 of title 5, United
 2 States Code, is amended by striking out the item relating
 3 to the Under Secretary, Department of Energy, and in-
 4 serting in lieu thereof the following:

5 “Under Secretaries, Department of Energy
 6 (3).”.

7 **SEC. 3137. TRAINING PROGRAMS FOR MANAGEMENT OF**
 8 **HAZARDOUS MATERIALS AND OF HAZARDOUS**
 9 **MATERIALS EMERGENCY RESPONSE ACTIVI-**
 10 **TIES.**

11 (a) AUTHORITY TO CARRY OUT PROGRAMS.—The
 12 Secretary of Energy may carry out the programs described
 13 in subsection (b) for persons who work with hazardous
 14 materials.

15 (b) NATURE OF PROGRAMS.—The programs referred
 16 to in subsection (a) are programs relating to management
 17 of hazardous materials and of hazardous materials emer-
 18 gency response that are designed to enhance the safety
 19 of the persons referred to in subsection (a) and to protect
 20 the environment.

21 (c) REGIONAL TRAINING CENTERS.—(1) The pro-
 22 grams referred to in subsection (a) may be conducted at
 23 regional training centers to be operated under the super-
 24 vision of the Secretary by qualified (as determined by the

1 Secretary) not-for-profit organizations acting in coopera-
2 tion with States, labor organizations, or Indian tribes.

3 (2) In consultation with appropriate representatives
4 of colleges and universities and other organizations having
5 appropriate technical expertise, the Secretary may de-
6 velop—

7 (A) standards relating to the operation of cen-
8 ters under this subsection; and

9 (B) the curricula of the training programs car-
10 ried out under subsection (a).

11 (d) AUTHORITY TO CONSTRUCT FACILITIES.—The
12 Secretary may, in cooperation with the Chief of Engineers
13 of the Army, construct such facilities as the Secretary de-
14 termines necessary to carry out the training programs au-
15 thorized under subsection (a), including regional training
16 centers located at Department of Energy sites.

17 (e) DEFINITION.—In this section, the term “Indian
18 tribe” has the meaning provided in section 4(e) of the In-
19 dian Self-Determination and Education Assistance Act
20 (25 U.S.C. 450b(e)).

21 (f) FUNDING.—From funds authorized to be appro-
22 priated to the Secretary of Energy under this division,
23 \$20,000,000 may be used to carry out programs author-
24 ized in subsection (a).

1 **SEC. 3138. REVIEW OF DEPARTMENT OF ENERGY ENVIRON-**
2 **MENTAL COMPLIANCE AGREEMENTS.**

3 (a) REVIEW REQUIRED.—The Secretary of Energy
4 shall review each agreement that the Department of En-
5 ergy has entered into with the Environmental Protection
6 Agency, a State, or an Indian tribe to bring a Department
7 of Energy facility into compliance with the requirements
8 of the Clean Air Act (42 U.S.C. 7401 et seq.), the Federal
9 Water Pollution Control Act (42 U.S.C. 6901 et seq.), the
10 Comprehensive Environmental Response Compensation
11 and Liability Act (42 U.S.C. 9601 et seq.), the Solid
12 Waste Disposal Act (42 U.S.C. 6901 et seq.), or a com-
13 parable State or local government law or regulation.

14 (b) CONTENT OF REVIEW.—The review required by
15 subsection (a) shall identify all required actions or mile-
16 stones that—

17 (1) can be completed faster than the schedule
18 provided in the agreement;

19 (2) are unnecessary because of—

20 (A) technological or programmatic
21 changes; or

22 (B) changes in circumstances or assump-
23 tions;

24 (3) cannot be completed by the completion date
25 scheduled in the agreement, but can be accomplished
26 within a reasonable time after such date by the use

1 of a more efficient or more cost-effective technology
2 than the technology that has been used;

3 (4) cannot be completed by the completion date
4 scheduled in the agreement because necessary tech-
5 nology will not be available in time to meet that
6 schedule;

7 (5) cannot be completed by the completion date
8 scheduled in the agreement because site character-
9 ization, site analysis, or another necessary informa-
10 tion collection activity will not be completed in time
11 to meet that schedule; or

12 (6) may endanger worker health and safety if
13 carried out within the period provided in the agree-
14 ment.

15 (c) CONSULTATION REQUIREMENT.—In conducting
16 the review of an agreement pursuant to subsection (a),
17 the Secretary shall consult with all parties to the agree-
18 ment and representatives of the community in which the
19 Department of Energy facility covered by the agreement
20 is located.

21 (d) REPORT TO CONGRESS.—The Secretary of En-
22 ergy, at the same time that the President submits to Con-
23 gress the budget for fiscal year 1996 pursuant to section
24 1105 of title 31, United States Code, shall submit to the

1 congressional defense committees a report setting forth
2 the following matters:

3 (1) The results of the review conducted pursu-
4 ant to subsection (a).

5 (2) Any alternatives to the milestones and com-
6 mitments that the Secretary considers appropriate.

7 (3) An explanation of any alternative action or
8 milestone that the Secretary considers necessary,
9 and the reason such alternative is necessary.

10 (4) For each such alternative—

11 (A) the date on which the alternative was
12 presented to the other parties to the agreement
13 concerned;

14 (B) whether the alternative was accepted,
15 rejected, or modified by any party to the agree-
16 ment; and

17 (C) whether the agreement was modified to
18 incorporate the alternative.

19 **Subtitle D—Cooperative Research** 20 **and Development**

21 **SEC. 3141. DEFINITIONS.**

22 For purposes of this subtitle:

23 (1) The term “cooperative research and devel-
24 opment agreement” has the meaning given such
25 term in section 12(d)(1) of the Stevenson-Wydler

1 Technology Innovation Act of 1980 (15 U.S.C.
2 3710a(d)(1)).

3 (2) The term “core competency” means exper-
4 tise and demonstrated capabilities in a particular
5 area, as determined by the Secretary.

6 (3) The term “Department” means the Depart-
7 ment of Energy.

8 (4) The term “departmental laboratory” means
9 a facility operated by or on behalf of the Depart-
10 ment that—

11 (A) is a laboratory within the meaning of
12 section 12(d)(2) of the Stevenson-Wydler Tech-
13 nology Innovation Act of 1980 (15 U.S.C.
14 3710a(d)(2));

15 (B) is a production facility or utilization
16 facility within the meaning of subsections (v)
17 and (cc) of section 11 of the Atomic Energy Act
18 of 1954, respectively (42 U.S.C. 2014 (v) and
19 (cc)); or

20 (C) is any other laboratory or facility des-
21 ignated as a departmental laboratory by the
22 Secretary.

23 (5) The term “educational institution” means a
24 college, university, or elementary or secondary
25 school, including any not-for-profit organization

1 dedicated to education that is exempt from taxation
2 under section 501(a) of the Internal Revenue Code
3 of 1986.

4 (6) The term “multi-program departmental lab-
5 oratory” means Argonne National Laboratory,
6 Brookhaven National Laboratory, Idaho National
7 Engineering Laboratory, Lawrence Berkeley Labora-
8 tory, Lawrence Livermore National Laboratory, Los
9 Alamos National Laboratory, National Renewable
10 Energy Laboratory, Oak Ridge National Laboratory,
11 Pacific Northwest Laboratory, and Sandia National
12 Laboratories.

13 (7) The term “partnership” means any ar-
14 rangement under which the Secretary or one or
15 more departmental laboratories undertakes research,
16 development, and demonstration activities, activities
17 relating to the commercial applications of tech-
18 nology, or technical assistance activities in coopera-
19 tion with one or more non-Federal entities, including
20 any arrangement that involves other Federal agen-
21 cies.

22 (8) The term “Secretary” means the Secretary
23 of Energy.

1 **SEC. 3142. AUTHORITY TO CARRY OUT ACTIVITIES UTILIZ-**
2 **ING THE CORE COMPETENCIES OF DEPART-**
3 **MENTAL LABORATORIES.**

4 (a) IN GENERAL.—(1) In carrying out the missions
5 of the Department, the Secretary and the departmental
6 laboratories may conduct research activities, development
7 activities, and demonstration activities and activities relat-
8 ing to the commercial applications of technology that uti-
9 lize the core competencies of the departmental labora-
10 tories.

11 (2) The Secretary may assign to departmental lab-
12 oratories any of the following missions:

13 (A) National security missions, including the—

14 (i) advancement of the military application
15 of nuclear energy;

16 (ii) support of the production of nuclear
17 weapons, and nuclear components to non-nu-
18 clear weapon systems, including production of
19 special nuclear materials;

20 (iii) support of naval nuclear propulsion
21 programs;

22 (iv) support of the dismantlement of nu-
23 clear weapons and the safe storage, transpor-
24 tation, and disposal of special nuclear materials;

25 (v) development of technologies and proc-
26 esses for—

1 (I) the safe storage, processing, treat-
2 ment, transportation, and disposal of haz-
3 ardous waste (including radioactive and
4 mixed waste) resulting from nuclear mate-
5 rials production, weapons production and
6 surveillance programs, and naval nuclear
7 propulsion programs;

8 (II) the reduction of environmental
9 hazards and contamination relating to such
10 waste; and

11 (III) the environmental restoration of
12 sites affected by such waste;

13 (vi) development of technologies and proc-
14 esses that facilitate—

15 (I) the effective negotiation and ver-
16 ification of international arms control
17 agreements; and

18 (II) the containment of the prolifera-
19 tion of nuclear weapons and the prolifera-
20 tion of delivery systems for such weapons;
21 and

22 (vii) protection of health and promotion of
23 safety in carrying out other national security
24 missions.

1 (B) Energy-related science and technology mis-
2 sions, including—

3 (i) enhancement of the understanding of
4 all forms of energy production and use;

5 (ii) support of basic and applied research
6 on the fundamental nature of matter and en-
7 ergy, including construction and operation of
8 unique scientific instruments for such research;

9 (iii) development of energy resources, in-
10 cluding solar, geothermal, fossil, and nuclear
11 energy resources;

12 (iv) pursuit of a comprehensive program of
13 research and development on the environmental
14 effects of energy technologies and programs;

15 (v) development of technologies and proc-
16 esses to reduce the generation of waste and pol-
17 lution and the consumption of energy or mate-
18 rials;

19 (vi) development of technologies and proc-
20 esses for the safe storage, processing, treat-
21 ment, management, transportation, and dis-
22 posal of nuclear waste resulting from commer-
23 cial nuclear activities; and

24 (vii) improvement of the quality of edu-
25 cation in science, mathematics, and engineering.

1 (C) Industrial infrastructure missions, in tech-
2 nology areas such as—

3 (i) microelectronics;

4 (ii) high-performance computing and com-
5 munications;

6 (iii) transportation;

7 (iv) advanced manufacturing;

8 (v) advanced materials;

9 (vi) space;

10 (vii) human health sciences; and

11 (viii) environmental science.

12 (D) Technology transfer missions.

13 (3) In carrying out the Department's missions, the
14 Secretary and the directors of the departmental labora-
15 tories shall, to the maximum extent practicable, make use
16 of partnerships. Such partnerships shall be for the follow-
17 ing purposes:

18 (A) To foster the development of technologies
19 that the private sector can commercialize in areas of
20 technology having broad significance for United
21 States technological and economic competitiveness.

22 (B) To provide Federal support for technology
23 development in areas in which the level of cost or
24 risk inhibits activities by the private sector but in

1 which the potential benefit to the United States of
2 such activities is high.

3 (C) To contribute to the education and training
4 of scientists and engineers.

5 (D) To provide college, university, and private
6 researchers with access to departmental laboratory
7 facilities.

8 (E) To provide technical expertise to colleges
9 and universities, private industry, and other Federal
10 agencies.

11 (b) PARTNERSHIP AGREEMENTS.—In carrying out
12 partnerships, the Secretary may enter into agreements
13 using instruments authorized under applicable law with
14 any person, any department, agency, or instrumentality
15 of the Federal Government, any State or local govern-
16 mental entity, any educational institution, and any other
17 entity. To the extent authorized under applicable law, such
18 agreements may include contracts, cooperative research
19 and development agreements, work for other agreements,
20 user-facility agreements, cooperative agreements, grants,
21 personnel exchange agreements, patent and software li-
22 censes, and other forms of agreements.

23 (c) UTILIZATION OF TECHNOLOGY BY PRIVATE SEC-
24 TOR.—To the maximum extent practicable, the Secretary
25 and the directors of the departmental laboratories shall

1 utilize partnerships with United States industry in order
2 to ensure that technologies developed in pursuit of the De-
3 partment's missions are applied and utilized in and by the
4 private sector in an appropriate and timely manner.

5 (d) COOPERATION WITH OTHER FEDERAL AGEN-
6 CIES.—The Secretary shall make available to the other
7 Federal agencies any assistance of a departmental labora-
8 tory that takes advantage of any of the core competencies
9 of the laboratory to contribute to the performance of one
10 or more of the missions of the other agencies. A depart-
11 mental laboratory may provide assistance under this sub-
12 section to carry out research activities, development activi-
13 ties, demonstration activities, and activities relating to
14 commercial applications of technology.

15 **SEC. 3143. ESTABLISHMENT OF GOAL FOR PARTNERSHIPS**
16 **BETWEEN DEPARTMENTAL LABORATORIES**
17 **AND UNITED STATES INDUSTRY.**

18 (a) GOAL FOR MULTI-PROGRAM DEPARTMENTAL
19 LABORATORIES.—In each fiscal year after fiscal year
20 1993, it shall be the goal of the Secretary to make avail-
21 able for partnerships that involve United States and pri-
22 vate industry and that provide for the sharing by the
23 United States and the private partners of the costs of
24 partnership activities not less than 20 percent of the funds
25 allocated by the Secretary for such fiscal year to each

1 multi-program departmental laboratory for research ac-
2 tivities, development activities, and demonstration activi-
3 ties and activities relating to the commercial applications
4 of technology.

5 (b) GOAL FOR OTHER DEPARTMENTAL LABORA-
6 TORIES.—In each fiscal year after fiscal year 1993, the
7 Secretary shall seek to make available to partnerships de-
8 scribed in subsection (a) an amount equal to the percent-
9 age established by the Secretary at the beginning of such
10 fiscal year for the purposes of this subsection of the funds
11 allocated by the Secretary for such fiscal year to depart-
12 mental laboratories (other than the departmental labora-
13 tories referred to in subsection (a)) for research activities,
14 development activities, and demonstration activities and
15 activities relating to the commercial applications of tech-
16 nology.

17 **SEC. 3144. AVAILABILITY OF FUNDS FOR PARTNERSHIPS**
18 **ACTIVITIES.**

19 (a) DEPARTMENT FUNDS FOR RESEARCH, DEVELOP-
20 MENT, AND DEMONSTRATION ACTIVITIES.—Funds made
21 available to the Department of Energy for research activi-
22 ties, development activities, and demonstration activities
23 relating to the commercial applications of technology shall
24 be available for partnerships to the extent that such part-

1 nerships are consistent with the goals and objectives of
2 such activities.

3 (b) DEPARTMENT FUNDS FOR NATIONAL SECURITY
4 PROGRAMS.—Funds authorized to be appropriated to the
5 Department of Energy for Department of Energy national
6 security programs shall be available for partnerships to
7 the extent such partnerships are consistent with the goals
8 and objectives of such programs.

9 (c) DEPARTMENT FUNDS FOR DEPARTMENTAL LAB-
10 ORATORIES.—Funds made available to the Department of
11 Energy for laboratory directed research and development
12 shall be available for any partnership.

13 **SEC. 3145. AMENDMENTS TO STEVENSON-WYDLER TECH-**
14 **NOLOGY INNOVATION ACT.**

15 (a) AGENCY REVIEW OF CERTAIN COOPERATIVE
16 AGREEMENTS.—Section 12(c)(5)(C) of the Stevenson-
17 Wydler Technology Innovation Act of 1980 (15 U.S.C.
18 3710a(c)(5)(C)) is amended—

19 (1) by striking out clause (i) and inserting in
20 lieu thereof the following:

21 “(i) Any agency that has contracted with a non-Fed-
22 eral entity to operate a laboratory shall review and ap-
23 prove, request specific modifications to, or disapprove a
24 joint work statement and cooperative research and devel-
25 opment agreement that is submitted by the director of

1 such laboratory within 30 days after such submission. In
2 any case where an agency has requested specific modifica-
3 tions to a joint work statement or cooperative research
4 and development agreement, the agency shall approve or
5 disapprove any resubmission of such joint work statement
6 or cooperative research and development agreement within
7 15 days after such resubmission. No agreement may be
8 entered into by a Government-owned, contractor-operated
9 laboratory under this section before approval of the coop-
10 erative research and development agreement and a joint
11 work statement.”;

12 (2) in clause (ii), by inserting “or cooperative
13 research and development agreement” after “joint
14 work statement”;

15 (3) by striking out clause (iv) and inserting in
16 lieu thereof the following:

17 “(iv) If an agency fails to complete a review under
18 clause (i) within the period specified for the review in that
19 clause, the agency shall submit to the Congress, within
20 10 days after the end of the period, a report on the rea-
21 sons for such failure. The agency shall submit such a re-
22 port at the end of each successive 15-day period in which
23 a review under such clause remains uncompleted.”; and

24 (4) by striking out clauses (v) and (vi).

1 (b) REVISION OF DEFINITION OF LABORATORY.—
 2 Section 12(d)(2) of the Stevenson-Wydler Technology In-
 3 novation Act of 1980 (15 U.S.C. 3710a(d)(2)) is amend-
 4 ed—

5 (1) in subparagraph (B), by striking out “sub-
 6 stantial” before “purpose”; and

7 (2) in subparagraph (C), by striking out “the
 8 primary purpose” and inserting in lieu thereof “one
 9 of the purposes”.

10 **TITLE XXXII—NUCLEAR SAFETY**

11 **SEC. 3201. AUTHORIZATION FOR DEFENSE NUCLEAR SAFE-** 12 **TY BOARD.**

13 There are authorized to be appropriated for fiscal
 14 year 1994, \$18,000,000 for the operation of the Defense
 15 Nuclear Facilities Safety Board under chapter 21 of the
 16 Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

17 **SEC. 3202. REQUIREMENT FOR TRANSMITTAL TO CON-** 18 **GRESS OF CERTAIN INFORMATION PRE-** 19 **PARED BY DEFENSE NUCLEAR SAFETY** 20 **BOARD.**

21 (a) REQUIREMENT.—Chapter 21 of the Atomic En-
 22 ergy Act of 1954 (42 U.S.C. 2286 et seq.) is amended—

23 (1) by redesignating section 320 as section 321;
 24 and

1 (2) by inserting after section 319 the following
2 new section 320:

3 **“SEC. 320. TRANSMITTAL OF CERTAIN INFORMATION TO**
4 **CONGRESS.**

5 “Whenever the Board submits or transmits to the
6 President or the Director of the Office of Management
7 and Budget any budget estimate, budget request, supple-
8 mental budget request, or other budget information, any
9 legislative recommendation, or any statement or informa-
10 tion in preparation of a report to be submitted to Congress
11 pursuant to section 316(a), the Board shall submit at the
12 same time a copy thereof to Congress.”.

13 (b) CLERICAL AMENDMENT.—The table of contents
14 at the beginning of the Atomic Energy Act of 1954 (42
15 U.S.C. 2011 et seq.) is amended by striking out the item
16 relating to section 320 and inserting in lieu thereof the
17 following:

“Sec. 320. Transmittal of certain information to Congress.

“Sec. 321. Annual authorization of appropriations.”.